Department of Justice

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Deputy Attorney General Benjamin R. Civiletti today issued the following statement on behalf of the Department of Justice on Department policy in investigating allegations of criminal activity by persons associated with religious sects:

On May 18, 1977, Deputy Assistant Attorney General Robert L. Keuch and other representatives of the Criminal Division met with Congressmen Robert Giaimo and Leo Ryan; Professor Richard Delgado of the University of Washington Law School; Dr. Margaret Singer, a psychologist from Berkley, California, and Dr. Colin Williams of the Yale Divinity School. The purpose of the meeting was to discuss "brainwashing" as allegedly practiced by some religious sects. The People's Temple was never mentioned.

The participants at the meeting were advised that the Criminal Division had been aware of allegations of "brainwashing" by religious sects and that it had given serious study and review to the complaints. It was emphasized, however, that the Department of Justice must operate within the constraints of the federal criminal law and the First Amendment and that the courts had traditionally afforded a high degree of protection to religious activities.

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The position of the Criminal Division has been and conti to be that allegations of "brainwashing" alone would not support criminal investigations and prosecutions under the Federal Kidnapping Statute or other federal criminal statutes pertaining to peonage, slavery, or involuntary servitude. This position is ba in part on the Supreme Court's decision in Chatwin v. U.S., 326 U.S. 455. The Department is releasing two letters that thoroughly explain its position in this matter.

Subsequent to the May 18 meeting, Dr. Singer furnished t names of several individuals that she believed had been restrain against their will by religious sects or had first-hand informat of such restraints. The FBI was requested by the Criminal Divis to conduct interviews of these individuals. As a result, the FB interviewed some 18 individuals. However, no information was developed which furnished a basis for federal criminal jurisdict or warranted further investigation.

The Department of Justice has never rebuffed complaints from members of Congress or from others that federal laws might have been violated by persons connected with religious sects. W have made numerous inquiries into such allegations. In some cas we have concluded there were no federal violations. In a few, we have turned over information developed to the appropriate sta authorities. In all cases, we have made clear that the Departmen was not and could not lawfully conduct a general inquiry into the activities or practices of any religious sects.

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Contrary to a New York Times report, Deputy Attorney General Civiletti never met with the group referred to above on May 18, 1977. Nor did Deputy Attorney General Civiletti write, sign, or personally see the letter to which the article referred, although the letter is consistent with the law and long-standing Department policy. It was issued from the Assistant Attorney General's office and within the authority of its author and signer Deputy Assistant Attorney General Robert L. Keuch.

The Department of Justice recognizes the anguish that parents suffer when their adult children give up their former way of life to join a different religious sect. However, in enforcing the federal criminal law we must act within our jurisdiction and scrupulously observe constitutional restraints.

The Department of Justice shares the grief and shock of the families, friends and of the nation arising out of the mass tragedy occurring within the past week in Guyana. It has begun already and will do everything within its powers to investigate these occurrences so that the perpetrators and participants, wherever located, can be brought to justice. We are making this effort in conjunction with the State Department, consistent with international law and the cooperation of the sovereign state of Guyana. In addition, we are assisting other departments and agencies of the United States government in a combined effort to properly identify and return the bodies of the victims and to secure the personal property involved. We are working urgently with the State Department and other agencies to provide for the safe and prompt return of survivors consistent with legitimate investigatory needs.

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